



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

(3)

Matter of: Gerald L. Rooney
File: B-235336
Date: October 26, 1989

DECISION

The issue in this decision is whether an employee who transfers back to his former duty station within 2 years of his initial transfer may be reimbursed for the sale of a residence at the former duty station.^{1/} The employee, Mr. Gerald L. Rooney, was transferred in the interest of the government from Woodlawn, Maryland, to Bradenton, Florida, in June 1987. While in Florida, Mr. Rooney rented his residence in Maryland. In February 1989, Mr. Rooney transferred back to Maryland at his own expense, and he now wishes to sell his residence in Maryland.

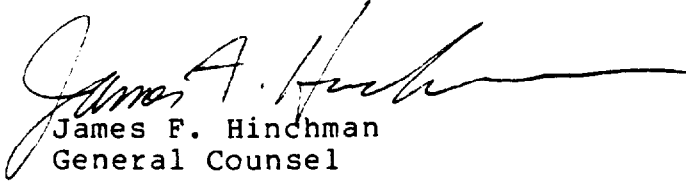
Mr. Rooney believes he is entitled to reimbursement in light of his completion of 12 months of service in Florida as stipulated in his service agreement. The Finance Officer questions whether Mr. Rooney relinquished his right to reimbursement of expenses in connection with the sale of his residence in Maryland when he transferred back to that location.

Our decisions have held that an employee who is transferred back to a former duty station is under an obligation to avoid unnecessary expenses and, therefore, once an employee is notified that he is being transferred back to his former duty station, the government's obligation to reimburse real estate expenses is limited to the expenses already incurred and those which cannot be avoided. Warren L. Shipp, 59 Comp. Gen. 502 (1980). Our holding in Shipp is limited to those employees who are notified of retransfer to their former duty stations within the maximum period allowed for completing residence transactions. See Robert T. Celso, 64 Comp. Gen. 476 (1985).

^{1/} This decision was requested by Walter W. Pleines, Director, Division of Finance, Social Security Administration, Department of Health and Human Services.

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Since Mr. Rooney is seeking reimbursement of selling expenses after his transfer back to his former duty station but within the maximum period allowed for completing residence transactions, he is not entitled to reimbursement for the sale of his residence in Maryland.



James F. Hinchman
General Counsel